

REMARKS

Applicant respectfully requests reconsideration and allowance of the subject application.

Claims 1-29 were originally submitted.

No claims are canceled.

Claims 30-39 have been added in a previous response.

Claims 1, 3-4, 7-8, 10, 15, 21-30, 32-33, 36, and 39 have been previously amended.

The declaration filed 6/17/2003 under 37 CFR 1.131 has been accepted to overcome the cited reference U.S. Patent 6,219,653 to O'Neill et al.

Claims 1-39 remain in this application.

Examiner Interview

An Examiner Interview was conducted by telephone on October 12, 2005 with Examiner Douglas Blair and Emmanuel Rivera. It was particularly discussed if the rejections in the Action are proper and specifically the 35 U.S.C. §112 rejection directed to enablement. It should be noted that Applicant has raised the appropriateness of the §112 in a prior response to an Office Action dated May 3, 2004. As noted in that prior response the present application was filed on April 5, 1999. Examiner Blair sent the subsequent Office Actions.

An Office Action was sent April 25, 2002. An Office Action was sent September 16, 2002. A Final Office Action was sent April 8, 2003. An Office Action was sent July 18, 2003. A Final Office Action was sent November 13, 2003. It was only in the Office Action of May 3, 2004 that §112 enablement rejection was raised and that a request for information was made. In the first five

1 Office Actions, it seems that the Office found the specification enabling in raising
2 rejections based on §102 and §103.

3 The primary reference of U.S. Patent 5,812,669 to Jenkins et al (Jenkins)
4 relied upon in raising 35 U.S.C. 103(a) rejections in the Action was also discussed;
5 however, in light of the issues concerning the §112 enablement rejection, no
6 agreement could be made as to whether Jenkins applies by itself or in combination
7 with other references as argued in the Action.

8 In a follow up call by Examiner Blair on October 25, 2005, it was suggested
9 that this response be filed and that an advisory action will follow indicating the
10 appropriateness of the rejections and/or whether another interview with a
11 Supervisory Primary Examiner is necessary.
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CONCLUSION

All pending claims 1-39 are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the subject application. If any issues remain that prevent issuance of this application, the Examiner is urged to contact the undersigned attorney before issuing a subsequent Action.

Respectfully Submitted,

Dated: 10/25/05By: 

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